

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF MASSACHUSETTS

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MERRIMACK MUTUAL FIRE
INSURANCE COMPANY, a/s/o/ JOHN
McDONOUGH

Plaintiff,

v.

APPLICA CONSUMER PRODUCTS, INC.,
Defendant.

CIVIL ACTION NO. 04CV10091-MBB

DISTRICT COURT
DISTRICT OF MASS

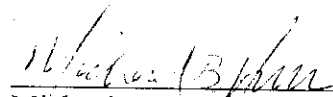
**STIPULATION OF DISMISSAL OF THE PLAINTIFF'S
CLAIMS AGAINST APPLICA CONSUMER PRODUCTS, INC.**

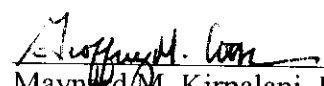
Pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, the Plaintiff, Merrimack Mutual Fire Insurance Company, a/s/o John McDonough, and the Defendant, Applica Consumer Products, Inc. ("Applica"), hereby stipulate and agree that the Plaintiff's claims against Applica be dismissed with prejudice and without costs each party to bear his or its own attorneys' fees and costs and waiving any right of appeal.

WHEREFORE, the parties hereby respectfully request that this Court dismiss the Plaintiff's claims against Applica Consumer Products, Inc.

Plaintiff
Merrimack Mutual Fire Insurance
Company, a/s/o John McDonough
By its Attorneys,

Defendant
Applica Consumer Products
By its Attorneys,


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